

# **UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN**

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CHERYL A. BERG, Individually, and as Personal Representative of the ESTATE OF THOMAS J. BERG, deceased, and as Special Administrator of the ESTATE OF CHELSEY BERG, deceased,

Plaintiffs,

Case No. 05-C-959

v.

ROBINSON HELICOPTER COMPANY  
and ABC INSURANCE COMPANY,

Defendants.

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## **OPINION AND ORDER**

The Defendant has moved the court to reconsider its Opinion and Order of February 21, 2006, denying its motion for a stay of this product liability action. Having reviewed the parties briefs, the court is not persuaded to grant the stay. The movant has not overcome the general presumption against abstention. See Sverdrup Corporation v. Edwardsville Corporation Unit School District No. 7, 125 F.3d 546, 549-50 (7th Cir. 1997). In view of the federal courts' "unflagging obligation . . . to exercise the jurisdiction given to them" Colorado River Water Conservation District v. United States, 424 U.S. 800, 817 (1976), the court ORDERS that "Defendant Robinson Helicopter Company's Motion to Reconsider" (filed March 8, 2006) IS DENIED. See generally AXA Corporate Solutions v. Underwriters Reinsurance Corporation, 347 F.3d 272 (2003).

Done and Ordered in Chambers at the United States Courthouse,  
Milwaukee, Wisconsin, this 5th day of May, 2006.

s/ Thomas J. Curran  
Thomas J. Curran  
United States District Judge